

INSPECTOR'S REPORT
WINCHESTER CITY COUNCIL
STATEMENT OF COMMUNITY INVOLVEMENT

Inspector: David Robins BA PhD FRTRI

Date: 11th December 2006

Winchester City Council Statement of Community Involvement (August 2006)

INSPECTOR'S REPORT

Introduction

- 1.1 An independent examination of the Winchester City Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
- 1.2 Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I am satisfied that the SCI satisfies the requirements of the relevant sections of the Act, in particular that its preparation has accorded with the Local Development Scheme as required by s19(1) of the Act.
- 1.3 Part (b) is whether the SCI is sound. Following paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Appendix A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of tests in PPS12.
- 1.4 A total of 35 representations were received, all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received, and these have been taken into account in the preparation of this report. Further information was requested from the Council in relation to Tests iii, iv and vii and this information is contained in Appendix B to this Report.

Test 1

- 2.1 The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004, and I am satisfied that this test is met.
- 2.2 This test is met.

Test 2

- 3.1 Section 3 of the SCI recognises the links between the Local Development Framework (LDF), the SCI, other community led involvement processes and existing networks and initiatives that the Council are able to draw upon to determine the most

appropriate type of community involvement. The SCI explains in this section and also in Appendix 4 the structure of the Local Strategic Partnership and the Community Liaison Forums and how these existing groups will be utilised in the consultation on the Local Development Documents (LDDs).

3.2 However, the SCI should explain more clearly how the process of community involvement will be linked to the Community Strategy and I therefore have the following recommendation.

(R1) Insert the following to the end of the paragraph 'Winchester Local Strategic Partnership' the following:

"The Council will ensure that initiatives / organisations set up as a result of the Community Strategy such as the Winchester Local Strategic Partnership are given the opportunity to participate in the preparation of Development Plan Documents throughout the consultation process wherever possible."

3.3 I am, as a result of this amendment, satisfied that the Council recognise the links between the strategies, the Local Development Documents and the associated consultation exercises.

3.4 Subject to the recommendation above, this test is met.

Test 3

4.1 The Council has set out in Appendix 3 of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated in this Appendix that the Council holds a database of consultee details. However, the SCI should provide details that would enable an individual or organisation to be added to this consultee list. The Council were asked to provide these details and I recommend that the following be inserted to Appendix 3:

(R2) Add the following as an additional (fourth) sentence to Paragraph 5.13:

"If you or your organisation would like to be kept informed by being added to our contact database, or would like to get involved in the production and review of the Local Development Framework, please contact the Strategic Planning Team, Winchester City Council, Avalon House, Chesil Street, Winchester SO23 0HU. E-mail strategicplanning@winchester.gov.uk , phone 01962 848222 or fax 01962 849101."

4.2 Furthermore, the Council state in Paragraph 5.14 that they will consult with additional local stakeholders where appropriate.

4.3 The re-organisation of certain consultation bodies, such as English Nature should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

(R3) Insert the following to the beginning of Appendix 3:

"Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur."

4.4 Subject to the recommendations above, this test is met.

Test 4

5.1 Paragraph 5.18 and Diagram 4 shows that the Council will involve and inform people from the early stages of Development Plan Documents (DPDs) preparation and this paragraph and Diagram 5 sets out the range of methods the Council will employ to do this. Supplementary Planning Documents (SPDs) are covered in paragraphs 5.19-5.20 and Diagram 6. The Council clarify in Paragraph 5.18 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of DPD production in accordance with Regulation 25.

5.2 However, the submission SCI does not address the consultation requirements under Regulations 32 and 33 if the DPD is concerned with allocations of land. The Council were asked to amend Diagram 4 to include this consultation and I recommend that the amended diagram be inserted into the SCI.

(R4) Replace Diagram 4 with the version given in Appendix B to this report.

5.3 Diagram 2 of the SCI is entitled 'The Statement of Community Involvement process'. There are errors in this diagram that the Council were asked to rectify (with regard to the Regulation 25 and Regulation 26 stages of consultation) and I recommend that the amended version replace the submission version of Diagram 2.

(R5) Replace the submission version of Diagram 2 with the version supplied in Appendix B to this report. Additionally, the SCI is not itself a process though the devising of the document is. Therefore, the Council should amend the description of Diagram 2 to read, "The Process of Adopting the Statement of Community Involvement."

5.4 As a result of these amendments I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.

5.5 Subject to the recommendations above, this test is met.

Test 5

- 6.1 Section 3, Diagram 5 and Paragraphs 5.18 - 5.20 set out the methods that the Council propose to use to involve the community and stakeholders. These cover a range of recognised consultation techniques that will present information via a range of different media. The Council indicate through Diagrams 4 and 6 at what stages of LDD preparation the various methods might be employed.
- 6.2 The SCI acknowledges at Paragraph 3.8 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals, and proposes (in Section 2) how they might do this. Paragraphs 2.2 – 2.3 explain how the Council will make their information accessible to all members of society, and sets out how they will meet requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.
- 6.3 As all LDF documentation should be made available in alternative formats where requested, the SCI should explain how these can be obtained. I recommend accordingly.
- (R6)** Add as a further bullet point to Paragraph 2.3 the following:
- “All LDF documentation can be made available, upon request, in alternate formats such as in large copy print, audio cassette, Braille or languages other than English. If you require the document in one of these formats please contact the Council’s Customer Service Team at www.customerservice@winchester.gov.uk, or by telephoning 01962 848 222 or faxing 01962 848 365.”
- 6.4 I am, however, satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in LDD preparation.
- 6.5 Subject to the recommendation above, this test is met.

Test 6

- 7.1 Paragraphs 5.54 – 5.55 and also Paragraph 6.6 of the SCI explain how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. I am satisfied that the Council is alert to the resource implications of the SCI.
- 7.2 This test is met.

Test 7

8.1 The submission SCI failed to explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council were therefore asked to provide information on this issue and also to clarify that reports will be produced at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement and where these will be made publicly available. The Council's response is given below and I recommend that it be inserted into the SCI.

(R7) Add to paragraph 3.5, as an additional (third) sentence:

"Where we undertake any public involvement exercises we will produce a report on the comments and issues raised which will then help to inform the production of the relevant Council strategy or document."

Add to Paragraph 5.18, as an additional (fourth) sentence:

"However, whenever we involve the community and seek their views, either formally or informally, we will produce a summary of the views expressed and a recommended response to them and this will be submitted to the relevant Council Committee. The precise method for doing this may vary for different DPDs, although the Council has now set up a Local Development Framework Committee, to oversee and guide the production of the Local Development Framework, and this is normally where such information would be put before Members."

Add to Paragraph 5.19, as an additional (second) sentence:

"Nevertheless, as with Development Plan Documents we will, whenever we involve the community and seek their views either formally or informally, produce a summary of the views expressed which will be submitted to the relevant Council Committee. The precise method for doing this may vary according to the subject matter of individual SPDs,"

8.2 Subject to the recommendation above, this test is met.

Test 8

9.1 Section 6 of the SCI explains that the Council continually monitors and reviews all consultation documents and that the SCI will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.

- 9.2 I am satisfied that the Council have mechanisms for reviewing the SCI and have identified potential triggers for the review of the SCI.
- 9.3 This test is met.

Test 9

- 10.1 Paragraphs 5.21 – 5.53 of the SCI describe the Council's policy for consultation on planning applications. Diagram 7 and Paragraphs 5.37 – 5.44 meet the minimum requirements, provide additional methods of consultation; and distinguish between procedures appropriate to different types and scale of application, and Paragraph 5.44 includes information on how the consultation results will inform decisions.
- 10.2 The SCI does not address the longer statutory time period for consultation that may be applicable in certain circumstances, and I recommend a change to acknowledge this.
- (R8)** Insert the following after the first sentence of Paragraph 5.45:
- “Bodies such as Natural England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.”
- 10.3 Subject to the recommendation above, this test is met.

Conclusions

- 11.1 The Council have set out in their ‘Schedule of responses to Submission Draft with recommendations’ a number of proposed changes to the SCI in response to representations received on the submission document. This is given as Appendix C to the report. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included.
- (R9)** Implement the proposed changes given in Appendix C to this report
- 11.2 However, the exact form of one proposed change was missing from this ‘Schedule of responses to Submission Draft with recommendations’. The Council have subsequently provided information on the terms of reference for the Cabinet (LDF) Committee which is given below and which I recommend be inserted into the SCI as Appendix 7.
- (R10)** Insert the following as a new Appendix 7.

“Terms of Reference of a Cabinet (LDF) Committee

Draft terms of reference were set out in Report CAB1328 which was considered at the Cabinet meeting of 11th October 2006. These have been amended slightly, to incorporate the information previously contained as an appendix, and are set out below.

In addition, it has been suggested that to streamline Cabinet business, the terms of reference of the Committee be widened to include approval of Village Design Statements and consideration of Supplementary Planning Documents.

The suggested terms of reference are therefore:

- (a) To determine all matters in the following stages of the production of Development Plan Documents in the Local Development Framework (LDF):
 - (i) Pre-Production Stage – the evidence base and arrangements for community involvement.
 - (ii) Production Stage – initial issues and options and associated public consultation.
- (b) To advise and make recommendations to Cabinet and Council upon the following stages of production of the LDF:
 - (i) Production Stage – Approval of Preferred Options for public consultation.
 - (ii) Submission Version – Approval of the version to be submitted to the Examination before the Inspector.
 - (iii) Adoption of Development Plan Documents following the Inspector's report after the Examination.
- (c)
 - (i) To consider and agree the adoption of Supplementary Planning Documents that are Village or Neighbourhood Design Statements.
 - (ii) To advise Cabinet on all other types of Supplementary Planning Documents.
- (d) To determine matters upon related projects and studies to the LDF or to make recommendations to Cabinet."

11.3 Appendix 5 of the SCI provides information on the Council's Local Development Framework programme. As the content and timescale of the programme may change over time the Council should add the following to the SCI.

(R11) Add the following to Appendix 5:

“As the content and timetable of this programme may change over time, please visit our website www.winchester.gov.uk for the latest version of the programme.”

11.4 In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.

11.5 The Council were asked to provide a schedule to remove historic information that would become redundant once the document is adopted. This information is given in Appendix B to this report and I recommend that the changes described be implemented.

(R12) Implement the editorial changes proposed in Appendix B to this report.

11.6 Subject to the implementation of the recommendations set out in this Report, the Winchester City Council SCI (August 2006) is sound.

INSPECTOR

David Robins

David Robins BA PhD FRTRI

APPENDIX A
TESTS OF SOUNDNESS

Examination of the soundness of the statement of community involvement

3.10 The purpose of the examination is to consider the soundness of the statement of community involvement. The presumption will be that the statement of community involvement is sound unless it is shown to be otherwise as a result of evidence considered at the examination. A hearing will only be necessary where one or more of those making representations wish to be heard (see Annex D). In assessing whether the statement of community involvement is sound, the inspector will determine whether the:

- i. local planning authority has complied with the minimum requirements for consultation as set out in Regulations;¹
- ii. local planning authority's strategy for community involvement links with other community involvement initiatives e.g. the community strategy;
- iii. statement identifies in general terms which local community groups and other bodies will be consulted;
- iv. statement identifies how the community and other bodies can be involved in a timely and accessible manner;
- v. methods of consultation to be employed are suitable for the intended audience and for the different stages in the preparation of local development documents;
- vi. resources are available to manage community involvement effectively;
- vii. statement shows how the results of community involvement will be fed into the preparation of development plan documents and supplementary planning documents;
- viii. authority has mechanisms for reviewing the statement of community involvement; and
- ix. statement clearly describes the planning authority's policy for consultation on planning applications.

From: Planning Policy Statement 12: Local Development Frameworks

¹ The Town and Country Planning (Local Development) (England) Regulations, 2004.

INSPECTOR'S REPORT
WINCHESTER CITY COUNCIL
APPENDIX B – CORRESPONDENCE



The Planning Inspectorate

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Greg White
Winchester City Council
City Offices
Colebrook Street
Winchester
Hampshire
SO23 9LI

Your Ref:

Our Ref: PINS/L1765/429/4

Date: 17th November 2006

WINCHESTER CITY COUNCIL - STATEMENT OF COMMUNITY INVOLVEMENT

Dear Mr.White,

As the appointed Inspector for your Authority's Statement of Community Involvement I am requesting comments from the Council on the following points in order to assist in assessing the soundness of Winchester City Council's Statement of Community Involvement.

Test iii

Could the Council please provide contact details that would enable an individual or organisation to be added to the Council's consultee database?

Test iv

In order that Diagram 4 is consistent with the text in paragraph 5.18 could the Council provide an amended diagram to take account of the requirements for consultation under Regulation 32 and 33 if the DPD is concerned with allocations of land?

Additionally could the Council provide an amended Diagram 2 that corrects the third 'triangle' which incorrectly states that the consultation on the draft SCI is the Regulation 25 stage?

Test vii

Could the Council please provide information on how the results of community involvement will be taken into account by the Council and used to inform decisions? This information should also include details on the reports the Council compiles at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement and where these will be made publicly available.

Editorial Changes



Could the Council please provide a schedule to amend any aspects of the submission SCI that would become redundant once the document is adopted?

These answers are to assist in the production of a binding report. Once you have submitted your response to these questions, the report will be produced as quickly as possible. Please reply to Steve Carnaby whose details are given above. Thank you for your assistance in this matter.

Yours sincerely,

Keith Holland

Keith Holland BA(Hons) Dip TP MRTPI ARICS

The Planning Inspectorate,
Room 3/25
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

2nd December 2006

Your Ref: PINS/L1765/429/4

Dear Mr Holland

Winchester City Council – Statement of Community Involvement

I refer to your letter dated the 17TH November 2006, in which you request additional comments from the Council regarding a number of points. Therefore, to assist you in determining the soundness of the Council's Statement of Community Involvement I shall attempt to deal with the matters raised, in the order as set out.

Test iii

A reference to the contact arrangements for adding individuals and organisations to the Council's consultee database can be introduced at paragraph 5.13 and the following form of wording is suggested for this: Page 18, paragraph 5.13, additional fourth) sentence: 'If you or your organisation would like to be kept informed by being added to our contact database, or would like to get involved in the production and review of the Local Development Framework, please contact the Strategic Planning Team, Winchester City Council, Avalon House, Chesil Street, Winchester SO23 0HU. E-mail strategicplanning@winchester.gov.uk , phone 01962 848222 or fax 01962 849101.

Test iv

It is suggested that Diagram 4 be clarified by the addition of a further 'panel' in the DPD Preparation Process column, which would be linked back by a broken line to its origin at the Stage 4 flag on the left-hand margin and state that: 'For DPDs dealing with site specific allocations, any alternative sites proposed by objectors during the consultation period will be published for a six-week period of public consultation'. A further broken line would then show any outcome from this feeding into the Consultation Period sequence, at Stage 5.

The Council also undertakes to make the necessary alteration to the third 'triangle' in Diagram 2, in order that this should correctly read 'Regulation 26'.

[Copies of the amended diagrams are being submitted both electronically and as hard copy].

Test vii

In response, the Council suggests the following additions to the SCI:

Page 9, paragraph 3.5, an additional (third) sentence: 'Where we undertake any public involvement exercises we will produce a report on the comments and issues raised which will then help to inform the production of the relevant Council strategy or document.'

Page 19, paragraph 5.18, an additional (fourth) sentence: 'However, whenever we involve the community and seek their views, either formally or informally, we will produce a summary of the views expressed and a recommended response to them and this will be submitted to the relevant Council Committee. The precise method for doing this may vary for different DPDs, although the Council has now set up a Local Development Framework Committee, to oversee and guide the production of the Local Development Framework, and this is normally where such information would be put before Members.'

Page 23, paragraph 5.19, additional (second) sentence: 'Nevertheless, as with Development Plan Documents we will, whenever we involve the community and seek their views either formally or informally, produce a summary of the views expressed which will be submitted to the relevant Council Committee. The precise method for doing this may vary according to the subject matter of individual SPDs,

Schedule of additional updates which would be required for an Adopted SCI

Delete 'Submission Draft August 2006' from the Cover, Title Page and all subsequent page 'footers' and replace with the appropriate month/year of adoption.

Page 10. Delete first sentence and replace with: 'A process promoted by SEEDA, as the Rural Development Agency for the south-east, and supported by Hampshire County Council'.

Page 13, paragraph 4.6, sixth (last) sentence. To reflect recent changes to the content and format of the Council's website, including its home page, delete the words 'Your Council and Representation' and replace with 'Council and Democracy'.

Page 35. Section 7 Heading, delete... 'And Next Steps'.

Page 35, paragraph 7.1, first sentence, delete and replace with: 'Through its adoption and publication of this Statement of Community Involvement, the Council has undertaken various commitments to maintain and improve its involvement with the public and stakeholders in its decisions and also puts forward various requirements of others'.

Page 35. Delete paragraphs 7.2, 7.3 and 7.4. Renumber subsequent paragraphs.

Pages 43-53. Because these provide background detail of front-loading activities conducted prior to the Consultation Draft stage, it is suggested that the Annexes to Appendix 1, numbered 1.a, 1.b, 1.c and 1.d. could be omitted from an adopted version of the SCI. However, as a useful summary of the Council's initial programme of consultation, Appendix 1 would be retained.

Page 58, Appendix 3, add to list of 'Other Consultation Bodies': 'The South Downs Joint Committee'.

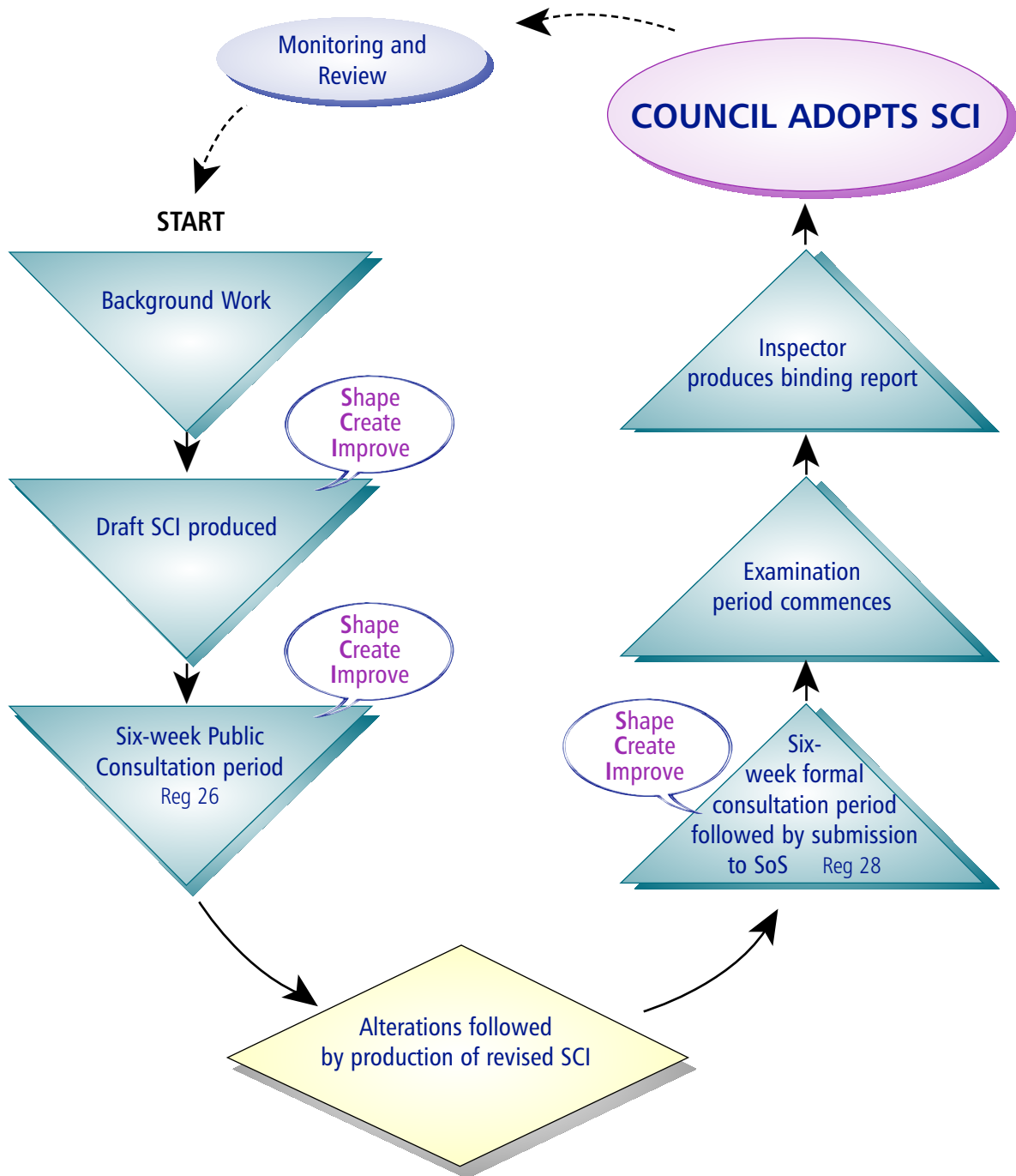
Page 58, Appendix 3, last sentence, replace with: 'If you wish to be added to the Council's consultation database, please refer to the contact information contained in paragraph 5.13, page 18'.

I hope that the answers and information given above are sufficient to allow the examination process to proceed. If, however, the Council can assist in any further way please advise the writer.

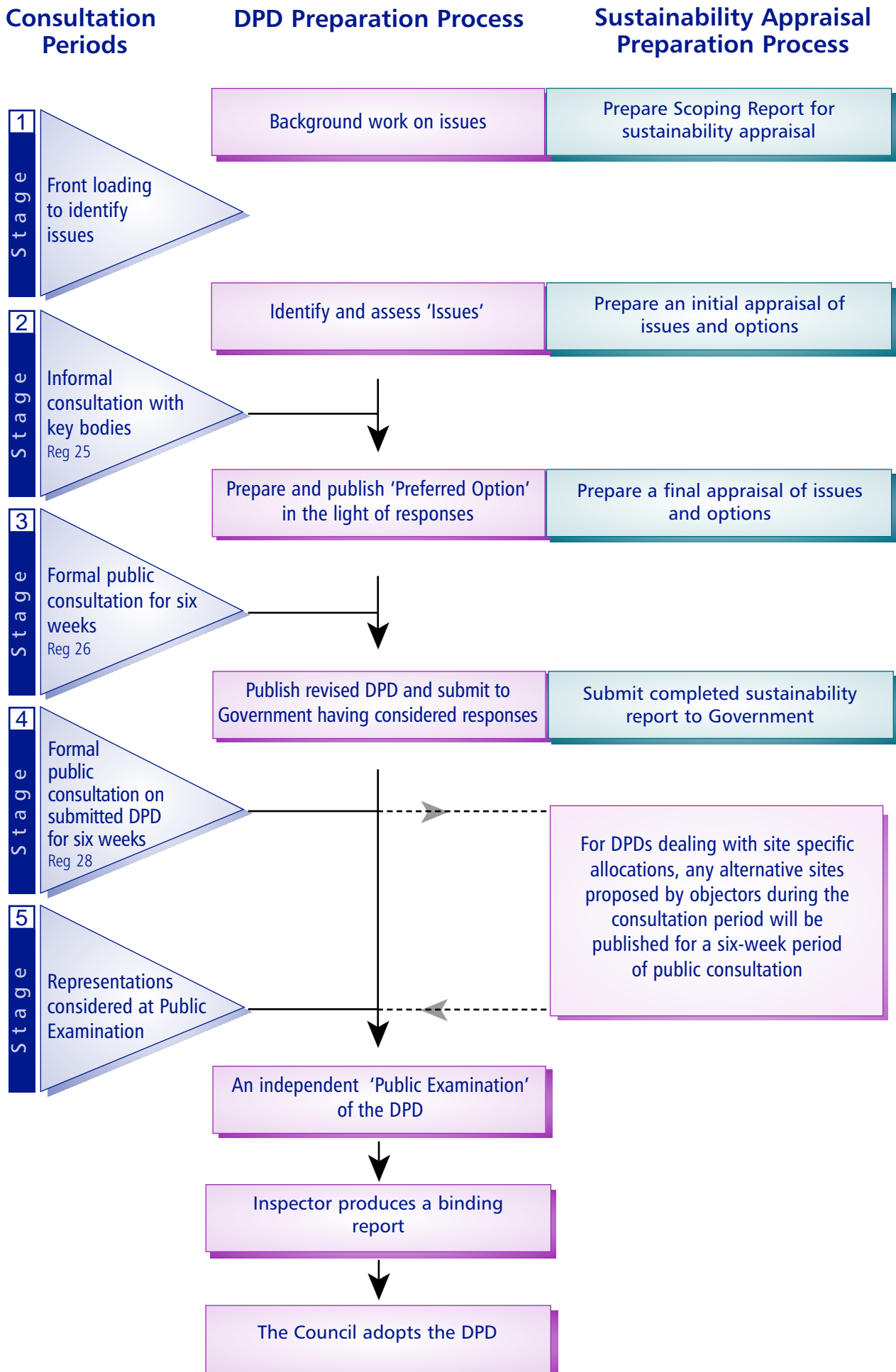
Yours Sincerely

Greg. White
Principal Planning Officer

The Statement of Community Involvement Process



Consultation Structure for Development Plan Documents



INSPECTOR'S REPORT
WINCHESTER CITY COUNCIL
APPENDIX C – PROPOSED CHANGES

Appendix 1: Statement of Community Involvement. Schedule of responses to Submission Draft with recommendations

Paragraph Number(S): 5.18

Test of Soundness 1 **Representation number:** 2001

**Susan Southern Water
Solbra**

Southern Water indicates that, in paragraph 5.18 of the Submission SCI, it is correctly stated that any alternative sites put forward at the the submission stage of DPDs will be published for consultation. However, the respondent points out that the text then fails to make it clear that the addresses of any such sites will be sent to the statutory consultation bodies, as is required under Regulation 32c of The Town and Country Planning (Local Development) (England) Regulations 2004. On this issue the respondent is, therefore, unable to support the Statement as being sound, on the grounds that it does not meet the minimum standard for consultation.

City Council's Response to Representation

Although it is the Council's intention to advise all specific consultation bodies of the address details of any alternative sites put forward at the submission stage of DPDs, in accordance with current Planning Regulations, the Submission SCI's failure to make this absolutely clear is accepted. Additional wording should, therefore, be included in order to correct this omission

Change Sought

The addition of a further sentence to the first bullet point on page 22 (paragraph 5.18): 'Statutory consultees will be notified and sent addresses of the sites (Regulation 32)'.

Change Proposed

Support the following change:

Paragraph 5.18, 'Submission to the Secretary of State', first bullet point on page 22, add additional sentence: ' Statutory consultees will be given details of any alternative sites'.

Paragraph Number(S): 5.20

Test of Soundness 1 **Representation number:** 2002

**Susan Southern Water
Solbra**

Southern Water indicates that Regulation 17 (2) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004 requires the planning authority to send draft Supplementary Planning Documents (SPDs) to statutory consultation bodies , if the authority considers that the SPD affects the body concerned . The respondent points out that paragraph 5.20 of the Submission SCI does not specify that this action will be undertaken as and when appropriate. Therefore, on this particular issue, the SPD will be sent to relevant statutory respondent is unable to agree that the SCI meets the minimum requirement for consultation and does not, therefore, support

City Council's Response to Representation

The Council's acknowledges this omission in the Submission text of the SCI and accepts the need to make specific reference in the text to the Regulations' requirement to send draft Supplementary Planning Documents to statutory consultation bodies, where it is relevant to do so.

Change Proposed

Support the following change:

Paragraph 5.20, page 23, 'Public Consultation Stage', insert a new bullet point after the first: statutory consultees (Regulation 17)'. 'The draft consultees (Regulation 17)'.

the Statement in terms of Test 1.

Change Sought

Under the 'Public Consultation Stage', in paragraph 5.20 (page 23), the insertion of a new bullet point, following the first bullet-point: 'The draft SPD will be sent to relevant

Paragraph Number(S):

5.26

Test of Soundness 1 **Representation number:** 2003

**Ed Peacock & Smith
Kemsley**

Whilst generally supporting the proposals for future consultation, set out in the Submission SCI, Wm. Morrison Supermarkets plc is concerned that the requirements for pre-application consultation, as set out in Diagram 7 at paragraph 5.26, exceed the terms of the guidance set out in the 'Companion Guide to PPS12: Creating Local Development Frameworks' (ODPM 2004). Paragraph 7.7 of the Companion Guide states that: 'Statements of Community Involvement should encourage developers to undertake pre-application discussions and early community consultation although they cannot prescribe that this is done'. The respondent submits that the SCI, as currently drafted, is not consistent with with the Companion Guide and in 'expecting' applicants to carry out pre-application discussions and early community involvement, appropriate to the scale and nature of the proposed development, the SCI fails Test of Soundness 1, in not complying with the minimum requirements for consultation, as set out in the current Regulations.

City Council's Response to Representation

The Council is concerned that, in terms of openness, fairness, early consultation and community engagement, the respondent's proposed change to the text of paragraph 5.26 would have the result of reducing the SCI's effectiveness and relevance. The Council maintains the view that a primary purpose of current Planning legislation and the Government's 'adaptable approach' to community involvement is to encourage 'front-loading', as an integral part of greater community participation, in all aspects of producing and subsequently applying the policies and provisions contained in Local Development Frameworks.

The Council has further concerns that its SCI can only be operated within the framework set down in legislation and that, in practice, this provides limited sanction against those applicants who may be unwilling to cooperate in regard to matters of early consultation and community engagement. Consequently, the Council intends to maintain its position and contends that the text wording which precedes Diagram 7 is a reasonable and justified expression of the importance which its attaches to the role of the applicant in regard to all significant development proposals.

Change Sought

That the introductory text, before Diagram 7 on page 26, should be amended to read: 'The following table indicates the forms of notification/consultation which applicants will be encouraged to undertake before submitting planning applications'.

Change Proposed

No change.

Paragraph Number(S): Section 5. Part B

Test of Soundness 1 Representation number: 2004

**Ian Southern Planning
Ellis Practice**

City Council's Response to Representation

The Southern Planning Practice submits that the SCI, as drafted, goes beyond its appropriate area of concern, which should be centred on consulting with the community on planning proposals which are controversial, sensitive or significant in scale by combining: matters of community involvement; commenting on planning applications; making planning decisions; the role of the Planning Committee and; the appeals process in a manner which is both confusing and unnecessary. The respondent goes on to suggest that such "extraneous" information should, if necessary, be included in appendices to the main Statement. responsibilities.

With particular reference to Diagram 7 (paragraph 5.26), the respondent submits that the Submission SCI fails to interpret Government intentions correctly and is drawn up in a manner likely to inhibit all forms of development.

In regard to publicity and site notices, the respondent makes the point that the matter of applicants' taking responsibility for the display of site notices is not subject to any statutory requirement.

The Southern Planning Practice's response is noted. The general comment that the Submission SCI 'muddles' community involvement with other, more specific, planning matters is not accepted. On the contrary, it is submitted that the Submission document achieves a reasonable balance, and degree of integration, between those planning aspects which it is required to focus on and a broader intention, on the part of the Council, to achieve greater community involvement in all areas of its activity.

In paragraph 5.22, the Council sees no particular relevance in making an additional reference to Hampshire County Council's Minerals and Waste HCC has produced its own SCI relating to its responsibilities in these areas and this has been recently adopted.

With regard to Diagram 7 (page 26) the Council does not accept that the structure or content of the diagram are unclear or unhelpful. The categorisation of development/application types is intended to be indicative, and give a straightforward guide, as to varying physical scales of development and/or degrees of impact on the public realm and the wider environment.

Reference to advertisements is included in the 'medium scale' group to give an indication that what may be a physically modest development can have a significant impact, for example, on a historic town centre. All the examples included are, therefore, intended to be illustrative. It does not seem necessary or appropriate, therefore, to expand these lists by the addition of further specific examples, such as development proposals that involve the introduction, or loss, of community facilities/services.

In regard to paragraph 5.29, the Council does not agree that its approach in seeking reliable and comprehensive information in support of all development applications, in order to enable and improve community involvement from the earliest possible stage, is inappropriate or in any sense heavy-handed. As set out, paragraph 5.29 is intended to make this overall objective quite clear, without adding levels of precise detail which would tend to make for an unnecessarily prescriptive approach. Furthermore, the Council does not accept that its approach would provide 'a major obstacle to practically all development'.

The Council maintains that its use of the terms

'notification/consultation' make it equally clear what is intended.

Again, it is not accepted that it would be particularly helpful, or necessary, to list further examples within paragraph 5.40.

There is a statutory requirement for site notices to be displayed. Paragraph 5.43 is intended to make it clear that the Council expects applicants to play their part in notifying and providing information to the local community by undertaking this particular responsibility.

Change Sought

Paragraph 5.22. Insert reference to the role of Hampshire County Council in determining minerals and waste disposal applications.

Paragraph 5.26, Diagram 7. Delete the third column headed 'Small Scale Applications'.

Paragraph 5.26, Diagram 7. More closely follow the table content set out in Table 7.4 of the PPS 12 Companion Guide 'Creating Local Development Frameworks' (ODPM 2004).

Paragraph 5.26, Diagram 7. Add a reference to development proposals which involve the addition or loss of community facilities/services.

Paragraph 5.26, Diagram 7. More comprehensively describe the different categories of development proposal [An alternative categorisation is put forward by the respondent].

Paragraph 5.33, Diagram 8. Change the Diagram heading to read: 'The following table indicates the form of notification/publicity which the Council will undertake...' Delete the footnote to the Diagram which reads: 'statutory requirement for all applications'.

Paragraph 5.36. Amend the wording to read: 'The Council will meet and exceed the minimum publicity requirements through the following measures:'

Paragraph 5.40. Add further examples, in the form of : '(e.g. residential development of more than 10 dwellings, industrial development of over 1000 sq.m., development affecting a public right of way, departures from the Development Plan).

Paragraph 5.43, second sentence. Replace

Change Proposed

No change.

the word 'require' with the word 'request'.

Paragraph Number(S): Section 5. Part B

Test of soundness 9 Representation number: 2005

**Ian Southern Planning
Ellis Practice**

City Council's Response to Representation

The Southern Planning Practice submits that the SCI, as drafted, goes beyond its proper area of concern, which should be focused on consulting with the community on planning proposals which are controversial, sensitive or significant in scale by combining: matters of community involvement; commenting on planning applications; making planning decisions; the role of the Planning Committee and; the appeals process in a manner which is both confusing and unnecessary. The respondent goes on to suggest that such "extraneous" information should, if necessary, be included in appendices to the main Statement.

responsibilities.
With particular reference to Diagram 7 (paragraph 5.26), the respondent submits that the Submission SCI fails to interpret Government intentions correctly and is drawn up in a manner likely to inhibit all forms of development.

straightforward guide, as to varying physical In regard to publicity and site notices, the respondent makes the point that the matter of applicants' taking responsibility for the display of site notices is not subject to any statutory requirement.

The Southern Planning Practice's response is noted. The general comment that the Submission SCI 'muddles' community involvement with other, more specific, planning matters is not accepted. On the contrary, it is submitted that the Submission document achieves a reasonable balance, and degree of integration, between those planning aspects which it is required to focus on and a broader intention, on the part of the Council, to achieve greater community involvement in all areas of its activity.

In paragraph 5.22, the Council sees no particular relevance in making an additional reference to Hampshire County Council's Minerals and Waste

With regard to Diagram 7 (page 26) the Council does not accept that the structure or content of the diagram are unclear or unhelpful. The categorisation of development/application types is intended to be indicative and to give a

scales of development and/or degrees of impact on the public realm and the wider environment. Reference to advertisements is included in the 'medium scale' group to give an indication, that what may be a physically modest development can have a significant impact, for example, on a historic town centre. All the examples included are, therefore, intended to be illustrative. It does not seem necessary or appropriate, therefore, to expand these lists by the addition of further specific examples, such as development proposals that involve the introduction, or loss, of community facilities/services.

In regard to paragraph 5.29, the Council does not agree that its approach in seeking reliable and comprehensive information, in support of all development applications, in order to enable and improve community involvement from the earliest possible stage, is inappropriate or in any sense heavy-handed. As set out, paragraph 5.29 is intended to make this overall objective quite clear, without adding levels of precise detail which would tend to make for an unnecessarily prescriptive approach. Furthermore, the Council does not accept that its approach would provide ' a major obstacle to practically all development'.

The Council maintains that its use of the terms 'notification/consultation' make it equally clear

what is intended.

Again, it is not accepted that it would be particularly helpful, or necessary, to list further examples within paragraph 5.40.

There is a statutory requirement for site notices to be displayed. Paragraph 5.43 is intended to make it clear that the Council expects applicants to play their part in notifying and providing information to the local community by undertaking this particular responsibility.

Change Sought

Paragraph 5.22. Insert reference to the role of Hampshire County Council in determining minerals and waste disposal applications.

Paragraph 5.26, Diagram 7. Delete the third column headed 'Small Scale Applications'.

Paragraph 5.26, Diagram 7. More closely follow the table content set out in Table 7.4 of the PPS 12 Companion Guide "Creating Local Development Frameworks" (ODPM 2004).

Paragraph 5.26, Diagram 7. Add a reference to development proposals which involve the addition or loss of community facilities/services.

Paragraph 5.26, Diagram 7. More comprehensively describe the different categories of development proposal [An alternative categorisation is put forward by the respondent].

Paragraph 5.35, Diagram 8. Change the Diagram heading to read: 'The following table indicates the form of notification/publicity which the Council will undertake...' Delete the footnote to the Diagram which reads: 'statutory requirement for all applications'.

Paragraph 5.36. Amend the wording to read: 'The Council will meet and exceed the minimum publicity requirements through the following measures:'

Paragraph 5.40. Add further examples, in the form of : '(e.g. residential development of more than 10 dwellings, industrial development of over 1000 sq.m., development affecting a public right of way, departures from the Development Plan).

Paragraph 5.43, second sentence. Replace the word 'require' with the word 'request'.

Change Proposed

No change.

Paragraph Number(S): 5.13

Test of Soundness 0 **Representation number:** 2006

**Paul
Mason**

The respondent suggests that the SCI's value is diminished by the use of too many qualifying phrases and other caveats, which dilute its applicability and effectiveness. In addition, too much reliance is placed on over-structured feedback mechanisms which can have a tendency to filter responses and put too much emphasis on the presentation of the response and its subsequent analysis, as opposed to the actual feedback contained in the response.

Virtually all such information does now enter the Council's web-page, where the additional words ".. and will also" inadvertently appear at the end of a sentence relating to the SCI's examination.

City Council's Response to Representation

The response is noted. It is not the Council's intention that any formal consultation which it conducts, either public or otherwise, should be centred on response methods which filter out feedback or, in any sense, skew the overall results or edit out what individuals or organisations wish to say. The Council is, indeed, making ever greater efforts to communicate and to find out what people can and are willing to contribute to community involvement and the improved conduct of planning processes.

public realm where it can be independently assessed and, in any event, for the Council to overlook or ignore such feedback would entirely negate its value, both to the authority and to the wider public participation and community engagement processes.

Given that the Council's Submission SCI does need to be a fundamentally practicable document and one which is valid in a great variety of different circumstances, it is necessary and, to an extent, unavoidable that it should contain certain cautionary phrases or provisos. These not only help to maintain a degree of flexibility, within legislative and regulatory frameworks which are susceptible to change, but are also intended to give the yet-to-be adopted version of the SCI a reasonable life-span.

The respondent also refers to a typographical error on the Council's web-page, which is regretted.

The suggestion is noted. However, the Council currently takes the view that to create and then add to a composite electronic document of the kind proposed could be of limited value, in that it would be potentially overloaded with information and, therefore, become more difficult rather than easier to disentangle the various stages of change and evolution. All Local Development Documents are required to be accompanied by a Statement of Consultation, which would draw attention to the key changes made in response to consultation.

Change Sought

Where changes are made at different stages of a document of this type, a composite electronic version should be generated and posted on the Council's web-site, showing the evolution of the document and the

Change Proposed

No change.

sequence of changes as they been accepted following external consultation or introduced, for example, as ongoing corrections or updates.

Paragraph Number(S): 5.26

Test of Soundness 5 Representation number: 2007

**Brendan Denmead Parish
Gibbs Council**

City Council's Response to Representation

Taking the example of the West of Waterlooville MDA, Denmead Parish Council is concerned that, at the time of submitting their response on the Submission SCI, the prospective developers of a significant part of this Major Development Area, who had recently submitted a formal planning application, had not made any direct contact with the Parish Council of this, the immediately neighbouring Parish, to the north of the application site. This has led the Parish Council to express scepticism regarding the effectiveness of the SCI in insisting that developers should liaise directly with affected Parish Councils, at the earliest possible stage in the development process.

The response is noted. The Major Development Area West of Waterlooville is a large-scale development project, confirmed through the Hampshire County Structure Plan Review 1996-2011 (adopted in 2000) and more recently given expression through the Winchester District Local Plan Review (adopted July 2005). During this time, various fundamental options have been considered and proposals have begun to take shape, most recently culminating in the submission, in July of this year, of a formal planning application for the development of part of the MDA area.

Throughout this lengthy period there have been numerous meetings of the West of Waterlooville Forum (to which the Parish Councils affected have always been invited), public consultations, stakeholder meetings, Committee Meetings and public exhibitions, conducted or participated in by the two affected authorities, Winchester and Havant. Local representative bodies, including Parish Councils, have been invited to attend/participate in most, if not all, such events and to contribute their views to the ongoing development planning of the MDA. From the City Council's point of view, there is no doubt that Denmead Parish Council has been kept fully informed and given every relevant opportunity to participate in this process. The Council maintains that the consultation and engagement objectives expressed through its SCI have been, and are continuing to be, rigorously pursued in the specific case referred to by the Parish Council.

Because of the scale and potential impact of the MDA, both authorities have taken unusual steps to bring landowner/developer interests into all the early stages of community consultation and engagement. In the case of the current planning application, a detailed presentation/discussion has already been hosted by the Parish Council and attended by the Council's Director of Development and its MDA Project Manager and, currently, the applicant/developers are making arrangements to follow this with their own presentation to the Parish Council.

In addition, and throughout the period leading upto the determination of this and any subsequent

applications, the process of examining and giving detailed consideration to such complex proposals will be supported by the contact, consultation and response mechanisms put in place by the two neighbouring authorities. Therefore, although the City Council's SCI was not in existence in the early stages of this particular development project, all the requirements of the SCI's Diagram 7 have been met.

Change Sought

None specified.

Change Proposed

No change.

Paragraph Number(S): 5.15

Test of Soundness 7 Representation number: 2008

**Ian
Hassall**

The respondent maintains that references to consultation with bodies representing different ethnic, racial or religious groups imply positive discrimination based on race or religion. Such references should, therefore, be deleted from the list of community groups and other stakeholders included in paragraph 5.15.

City Council's Response to Representation

This response is noted. The Council regards it as being equitable and entirely appropriate that, in terms of all its activities, it should seek to include and involve all those individuals and groups which go to make up the district-wide community. As part of extending this approach, it is fully committed to increasing its efforts to establish contact with those people who, historically, have not tended to be involved in dialogue about their own local area. The Council makes no apology for any positive discrimination and it is a requirement of Government guidance that special efforts should be made to engage with all minority groups.

Change Sought

Paragraph 5.15. Delete second and fourth bullet-point categories.

Change Proposed

No change.

Paragraph Number(S): Sections 3,4,5,6

Test of Soundness 1 Representation number: 2009

**John
Hayter**

The respondent points out that the online version of the Submission SCI contains the word 'Draft' as a footer to each page. This may have had the effect of making some respondents confused as to which version of the SCI they were being asked to comment on. The hard-copy representation form correctly asks for representations on the Submission stage document, but no electronic version of this was provided on-line. This omission was only brought to the Council's attention. The respondent indicates that the soundness tests have to be considered in relation to the minimum commitment of the SCI. It cannot,

City Council's Response to Representation

The respondent's comments are noted. It is not accepted that the inclusion of the word 'Draft', as part of the page footer to what was otherwise clearly shown to be the Submission Statement, would have had any significantly confusing effect. However, it is accepted that, regrettably, the on-line version of the representation form was not posted on the Council's web-site, to accompany the Submission Statement and those other relevant documents which were. However, attention as a direct consequence of Mr Hayter's own submissions, which reached the Council some three days before the close of the six-week

therefore, be determined whether the SCI will meet the Regulations, because in many cases its processes are either said to be subject to resource availability or are not specified, in order to maintain flexibility. Furthermore, the SCI gives no minimum resource commitment and is, in any event, over-reliant on the unpaid contribution made by Parish Councils and other voluntary organisations. requirements for consultation, is not accepted. The respondent further indicates that the Consultation Draft SCI was described as 'the best that could be provided from existing resources', yet did not contain provision for sustainability appraisals or Strategic Environmental Assessment. Although these have been included in the Submission version it is not made clear whether extra resources will be provided to deliver these additional commitments, or whether other aims of the SCI will be removed or compromised in order to compensate for these.

consultation, leaving little time to correct the situation. Nevertheless, respondents were able to submit responses electronically, by e-mail, and the SCI consultation did, therefore, meet the relevant regulatory requirements.

The respondent's assertion that it cannot be determined whether or not the SCI will meet the Regulations, in regard to the minimum

The reference to resource availability contained in Section 6 of the Submission document, at paragraph 6.6, represents a carefully considered statement as to the broad relationship between resource considerations and the application of the Council's SCI. The overall issue of resource availability and the potential, consequential effects on the SCI is raised in several of the respondent's submissions. These are addressed by the Council at each appropriate point.

A detailed section relating to Sustainability Appraisals and Strategic Environmental Assessments was included in the evolving SCI. The Council is required to implement the matters referred to, regardless of whether this requirement is referred to in the SCI. The SA/SEA regulations and the requirements for SCIs are separate and must both be met. There is no reason why one should impact on the other. Notwithstanding this, it is not anticipated that fulfilling these other obligations will have adverse effects on the scope or objectives of the SCI.

Change Sought

Repeat the public comment process on a final submission stage SCI.

Amend the SCI, to remove all reference to 'subject to resources', or where a process is unspecified in order to provide flexibility.

Amend the SCI, to minimise the dependency on Parish Councils and other voluntary organisations, by placing more emphasis on both new and existing alternatives.

Amend the SCI to include a clear statement that its commitments can be met, but with resources that are further defined by skill and amount.

Change Proposed

No change.

Paragraph Number(S): **SCI (all), Appendix 4**

Test of Soundness 2 **Representation number:** 2010

John Hayter

The respondent submits that the Submission SCI does not sufficiently emphasise links to other strategies and community involvement initiatives and makes suggestions to remedy this shortcoming.

City Council's Response to Representation

The respondent's suggestions for amendments to the Submission SCI are noted. Section 2 of the Submission SCI is intended to be a straightforward expression of the Council's 'Values and Principles'. Without seeking to undermine the importance of the Community Strategy, it is not considered necessary, or appropriate, to include any specific examples to add greater weight to this element of the SCI.

The Council also maintains that an appropriate emphasis on links with other strategies and community engagement initiatives is provided through the SCI and, not least, in Section 3 of the document: 'Methods We Will Use And Support'. However, it is accepted that a valid reference to the Local Strategic Partnership, by way of an example, could be introduced to the 'Presentations' section in Diagram 5: 'Consultation for Development Plan Documents', on page 22.

Appendix 4 (page 59), is intended to illustrate the organisational structure of the Winchester District Local Strategic Partnership. The Council would not, therefore, consider it necessary or appropriate to add reference to particular 'outputs' of the Partnership, such as the Community Strategy or the 'One Compact for Hampshire'.

Change Sought

Paragraphs 2.2, 2.3, Diagram 5 and its supporting text. Amend to refer to the Local Strategic Partnership and the Community Strategy, which is the formal expression of the Partnership's position.

Appendix 4. Amend to include reference to the Community Strategy, in a way which is consistent with its description in the SCI's Glossary. Also amend the chart to include the 'One Compact for Hampshire'.

Change Proposed

Page 22, Diagram 5, box headed 'Presentations': insert after '...including... the Local Strategic Partnership...' and those attended by hard-to-reach groups'.

Paragraph Number(S): **all**

Test of Soundness 4 **Representation number:** 2011

John Hayter

The respondent indicates that the Submission SCI does not identify how the most 'hard-to-reach' groups can be involved in a timely and accessible manner. The respondent goes on

City Council's Response to Representation

The respondent's comments and suggestions are noted. The Council is well aware of the need to make greater and more targeted efforts to connect with the hard-to-reach and, particularly,

to suggest that certain hard-to-reach individuals are perceived as belonging to a group, because of certain common characteristics, although in practice they may not form any such 'group' and may be scattered across the District. The respondent goes on to give examples such as gypsies/travellers, the homeless, those who lack an affordable home, those who suffer deprivation or have mobility, speech, hearing, language or associated difficulties in communicating, as well as those who live in, but work away from, the District.

that meeting this particular objective will require a
The respondent makes the further point that Council

on issues such as housing provision, the interests of the hard-to-reach are unlikely to correspond to those expressed by the majority within a community, or by those who represent them. The respondent also suggests that the Submission SCI continues to place too much reliance on established and wholly conventional methods of community engagement and that this approach will continue to disadvantage the hard-to-reach within the District.

Change Sought

Modify the approach taken by the SCI, to emphasise the value of drawing on local sources of information such as periodic Housing Needs Surveys and the Social Inclusion, Health and Housing Partnerships within the Local Strategic Partnership. The SCI should also emphasise the importance of engaging more effectively with local agencies such as 'Meals on Wheels', groups representing the disabled or handicapped, or ex-offenders associations. Such bodies may well be able to supply basic contact information.

Include reference in the SCI to more unconventional methods of making contact with the hard-to-reach, for example, through face-to-face surveys at pubs, betting shops and charity shops and among those who might sleep rough or congregate in town centres.

in ways which help to generate a genuine involvement, through the two-way exchange of ideas and opinions. Certain officer' actions have already been initiated and these are designed to create or strengthen links with other organisations which, in some instances, do have a more established access to individuals and groupings which the Council has generally found it hard to engage with. Although references in the Submission SCI, to this particular aspect of the Council's determination to involve all elements within the community, are meant to set out a clear statement of its intent it is, nevertheless, accepted

consistent and ongoing commitment by the

and its officers, coupled with the use of imaginative and innovative methods, if this particular challenge is to be successfully met.

In answer to the respondent's point regarding sources of local information, it is considered that whilst the examples he suggests are valid in themselves, the Submission document already contains a generally sufficient number of illustrative examples. To continue adding further examples could have the effect of narrowing the document's focus and run the associated risk of producing a manual, rather than a clear 'Statement' of purpose.

Change Proposed

No change.

Paragraph Number(S): 1.5, SCI (all)

Test of

5 Representation number: 2012

John Hayter

City Council's Response to Representation

The respondent suggests that the consultation methods contained in the Submission SCI place too much emphasis on consultation with 'groups' and, in addition, the assumption is made that such groups are sufficiently organised to be able to identify and express group concerns at forum or other front-loading events. The respondent also makes the point that most Parish Councils and even some well organised amenity groups find it difficult to disseminate the necessary information, mobilise opinion and respond properly to a consultation, or series of consultations, which are generally conducted on the basis of a six-week time-frame for each consultation exercise. In the event, many groups commonly find that they can only respond on single issue matters.

forms are already made publicly available and it The respondent repeats the point, made in representation 2012, that the Submission SCI does not identify how the most 'hard-to-reach' groups can be involved in a timely and accessible manner. The respondent goes on to suggest that certain hard-to-reach individuals are perceived as belonging to a group, because of certain common characteristics, although in practice they may not form any such 'group' and may be scattered across the District. The respondent goes on to give examples such as gypsies/travellers, the homeless, those who lack an affordable home, those who suffer deprivation or have mobility, speech, hearing, language or associated difficulties in communicating, as well as those who live in, but work away from, the District.

The respondent makes the further point that on issues such as housing provision, the interests of the hard-to-reach are unlikely to correspond to those expressed by the majority within a community, or by those who represent them. The respondent also suggests that the Submission SCI continues to place too much reliance on established and wholly conventional methods of community engagement and that this approach will continue to disadvantage the hard-to-reach within the District.

The respondent then goes on to suggest that the 'second stage' in the DPD preparation process, as depicted in Diagram 4 on page 20, moves from identifying and assessing

The points raised by the respondent are noted with interest. However, these are considered to have been broadly addressed in answer to other submissions by the respondent, both at the earlier Consultation Draft and present stages. The particular point made in regard to time pressures put on Parish Councils and organised amenity groups is understood. Nevertheless, it is most often the case that the time-frame for formal public consultation, in regard to planning and certain other areas of City Council responsibility, is set through legislation or Government regulation and, in such instances, the Council and its consultees/respondents are required to observe this.

The point regarding 'templates' is noted. Consultation documents and associated response

would, in any event, be the Council's intention to maintain consistency and transparency in the structure of these, for both the consultation draft and submission stages.

The respondent's point regarding the sequence of stages in Diagram 4 (page 20), which illustrate the DPD Consultation Structure, is accepted. The content of the Diagram should, therefore, be amplified to make it clear that the 'front-loading' stage of the process should include an additional reference to the identification of 'options'.

'Issues', to preparing and publishing a 'Preferred Option', without any intermediate stage of choosing between 'Options' being referred to. The respondent makes the further point that a process of focusing on and, in most cases, ordering options is a helpful process, not least in terms of reaching out to and involving the community.

Change Sought

Include, as a further Appendix to the SCI, the templates for responses to be made at each stage of consultation, ensuring that at both the draft and deposit stages the response forms are consistent in their structure.

Amend Diagram 4 and its supporting text, to make the consideration of options a central part of the second stage in the DPD preparation process

Paragraph Number(S): 3.1- 6.6

Test of Soundness 6 **Representation number:** 2013

John Hayter

The respondent submits that the value and effectiveness of the SCI are compromised as the result of possible, or projected, resource constraints being used to cloud, or defer, issues which may require action in the future.

It is also suggested that parts of the SCI have been drafted in such a way as to create flexibility and 'room to manoeuvre', rather than to follow through with the desired course of action.

this, it remains true, as similarly indicated in the WCC response to representation 2016, that the SCI is intended to incorporate some reasonable and cautionary elements of flexibility, in order to be able to respond to, and deal with, some degree of uncertainty regarding future resourcing or other constraining factors, whilst recognising the fact that the precise effect of any future constraints on action cannot be known, or readily anticipated, at the present time.

The respondent makes the further point that the SCI places an over-reliance on the capacities and abilities of Parish Council's and other, mostly voluntary, organisations. It is unreasonable, in the respondent's view, to put additional burdens, such as contacting the hard-to-reach, onto local organisations which are already struggling to meet the various demands placed upon them. The shortfalls which, in practice, are likely to occur as the result of these organisations' more limited capacity, can only be met by adding more WCC resources than originally planned, or by not fulfilling all of the commitments contained in the SCI.

Change Proposed

Support the following change:

Page 20, Diagram 4. Amplify the front-loading Stage 1, to add further reference to the identification of 'issues and options'.

City Council's Response to Representation

The response is noted. It is not accepted that the Council's drafting of its SCI has been unduly influenced by possible future resource constraints. On the contrary, the SCI has from the outset been regarded by the Council as an open-minded, albeit serious, attempt to meet the need for improved consultation and community engagement in a realistic and affordable way, but without this being driven forward by an overriding concern for resourcing issues. Notwithstanding

WCC response to representation 2016, that the SCI is intended to incorporate some reasonable and cautionary elements of flexibility, in order to be able to respond to, and deal with, some degree of uncertainty regarding future resourcing or other constraining factors, whilst recognising the fact that the precise effect of any future constraints on action cannot be known, or readily anticipated, at the present time.

The respondent's point regarding the burdens placed on voluntary organisations, and Town/Parish Councils in particular, is fully accepted. The Council is, however, conscious of the critically important role played by such organisations. Although every reasonable effort is made to co-ordinate and combine planning and other forms of Council contact/consultation, an inescapable fact appears to be that Town/Parish Councils and other locally representative organisations are, increasingly, at the forefront of community affairs, especially in rural areas.

Consequently, their involvement and overall workloads will almost certainly continue to grow. The Council is committed to an innovative approach to these and other involvement issues and the SCI's reference to the possibility of 'clustering' some Parishes is with a view to encouraging certain Parish Councils of varying size and capacities to share some administrative or other workload pressures. With regard to the respondent's point related to the issue of future resourcing for such organisations, this is considered to be beyond the scope of this SCI.

Change Sought

Amend the SCI, to remove all reference to 'subject to resources', or where a process is unspecified in order to provide flexibility.

Amend the SCI, to minimise the dependency on Parish Councils and other voluntary organisations, by placing more emphasis on both new and existing alternatives.

Modify the approach taken by the SCI, to emphasise the value of drawing on local sources of information such as periodic Housing Needs Surveys and the Social Inclusion, Health and Housing Partnerships within the Local Strategic Partnership. The SCI should also emphasise the importance of engaging more effectively with local agencies such as 'Meals on Wheels', groups representing the disabled or handicapped, or ex-offenders associations. Such bodies may well be able to supply basic contact information.

Include reference in the SCI to more unconventional methods of making contact with the hard-to-reach, for example, through face-to-face surveys at pubs, betting shops and charity shops and among those who might sleep rough or congregate in town centres.

Paragraph Number(S): SCI (all), 4.10, 4.11

Test of Soundness 7 **Representation number:** 2014

John Hayter

The respondent submits that the SCI focuses on describing the collection of representations and/or consultation results, but does not describe how these are formally fed into the decision-making process.

Change Proposed

No change.

City Council's Response to Representation

The respondent's comments are noted. The value and relevance of a Council Committee, charged with guiding and informing the preparation of the Local Development Framework, and which would have consultation procedures for other members

Consequently, it is not made apparent that matters relating to DPDs, SPDs and Sustainability Appraisals are brought before four different Scrutiny Panels and only 'come together' at the level of the Principal Scrutiny Committee. Due to the timing of Panel meetings these usually occur after the Principal Scrutiny Committee and not before. Furthermore, although the final decision has to be taken either in Cabinet, or by the full Council, the SCI does not stipulate a need for prior consideration by any particular Committee or Panel.

Change Sought

Amend the SCI to reinstate the function and procedures of the former Local Plan Committee, which usefully guided and supervised the emergence of previous District Local Plans.

of the Council, interested bodies and the public, are fully accepted. Measures to achieve this, including the establishment of terms of reference for such a Committee, are currently in hand.

Change Proposed

Support the following change:

To advise the Planning Inspectorate that measures are currently in hand to secure the establishment of a Cabinet (Local Development Framework) Committee charged with guiding and informing the preparation and production of the Council's Local Development Framework. Such a Committee would have participation procedures for other members of the Council, interested bodies and the public. It is anticipated that further details of these arrangements, including the new Committee's terms of reference, can be submitted to the Inspectorate before the close of the 'examination' stage.

Paragraph Number(S): Section 6

Test of Sundness 8 **Representation number:** 2015

John Hayter

The respondent submits that in Section 6 of the Submission SCI it is made clear that the Annual Monitoring Report will be used to assess the extent to which planning policies are being successfully implemented. However, no additional mechanism is described whereby an annual policy report, or a planning process report, can be taken to a Committee for Member review and, if necessary, the authorisation of any further action.

Change Sought

Amend the provisions of the SCI to confirm the reinstatement of a Committee to resume and carry forward the role of the former Local Plan Committee.

City Council's Response to Representation

See the preceding response to Representation 2014. It should, however, be noted that the former Local Plan Committee (and the proposed Cabinet LDF Committee) are concerned with developing planning policy, not scrutinising or monitoring this. The relevant Scrutiny Panel will, therefore, continue to monitor the implementation of planning policy and key indicators.

Change Proposed

No change, but see Representation 2014

Paragraph Number(S): 5.21 - 5.55, Appendix 6

Test of Soundness 9 **Representation number:** 2016

John Hayter

The respondent indicates that the criteria for neighbour notification are not specified in the Submission SCI but are only available on the Council's web-site and are subject to change. Although the criteria for referring certain planning applications to the Council's Development Control Committee for decision and the procedures governing public-speaking at that Committee are included in the SCI, the Submission document does go on to state that these rules and procedures, as currently adopted, are not included as a formal part of the SCI.

City Council's Response to Representation

The response and accompanying suggestions for changes to the SCI are noted. However, the Council regards it as both necessary and realistic to retain a reasonable degree of flexibility and, importantly, the ability to adapt to changes in the SCI's operating environment, including those of a legislative, regulatory or procedural nature.

The adopted SCI will be relied on to guide and monitor further key stages in the production of the Council's LDF and it is intended, therefore, that the SCI should continue to be relevant to that purpose, without the need for major revisions or updating in the very near future. Therefore, where matters of Council procedure, such as Committee arrangements, are particularly susceptible to change it is considered more appropriate, and sparing of resources, to publicise and make these available in a form, or forms, which can be more independently altered and brought up-to-date. Consequently, the Council considers that it would be wholly inappropriate for it to have to make a formal change to the SCI, in order to amend its neighbour notification or Committee procedures. Acceptance of the respondent's suggested changes would require this.

Change Sought

Amend the SCI to include the neighbour notification criteria currently only available on the Council's web-site.

Paragraph 4.7. Delete the last two sentences.

Paragraph 5.50. Delete.

Change Proposed

No change.

Paragraph Number(S): 5.15, 5.18

Test of Soundness 3 **Representation number:** 2017

James Grainger Trust Matcham

The Grainger Trust plc indicates that paragraph 5.15 states that, in the development process, the Council will consult with a range of stakeholders, including landowners/ development interests and or their agents. However, this statement is not carried through to paragraph 5.18, which fails to reflect the important role of the housebuilding industry in the LDF process.

City Council's Response to Representation

These comments are noted. The Council accepts that the 'front-loading' or Pre-Production Stage, referred to in Paragraph 5.18 of the Submission SCI, could helpfully, and appropriately, make a more specific reference to the early consultative role to be played at this stage, by landowners, development interests and their agents. This paragraph should, therefore, be amplified by the addition of a further bullet-point. The consultative

The respondent considers that the involvement of landowners and development interests is critical at the early stages in the production of key Development Plan Documents, such as the Core Strategy. In addition, the respondent points out that paragraph 5.20 fails to make reference to the equally important role of, and the need for early consultation with, landowners and developers in the production of Supplementary Planning Documents.

Change Sought

Unspecified amendments to paragraphs 5.18 and 5.20 to emphasise the constructive part which can be played by landowners, development interests and their agents.

Paragraph Number(S): 5.26, 5.30

Test of Soundness 0 **Representation number:** 2018

James Grainger Trust Matcham

The Grainger Trust plc acknowledges the importance that the Submission SCI attaches to pre-application discussions which are appropriate to the scale and nature of development proposals and accepts that these play a vital part in dealing with most major planning applications. However, the respondent points out that paragraph 5.26 does not make any corresponding reference to the importance of inter-departmental communication within the Council, in terms of reacting to pre-application proposals.

Change Sought

An unspecified amendment to paragraph 5.30, to emphasise the importance of inter-departmental communication within the Council.

Paragraph Number(S): 5.18

Test of Soundness 0 **Representation number:** 2019

James Grainger Trust Matcham

The Grainger Trust plc indicates that, in regard to preparing for and producing the LDF, the Submission SCI makes a number of references to the 'evidence base'. However, the Submission document does not go on to give examples of Council-commissioned surveys or assessments, such as an up-to-date Housing Needs Assessment, which

role of landowners, development interests and their agents is considered to be less specific in regard to the preparation of Supplementary Planning Documents. It is maintained, therefore, that the Submission SCI's reference to 'stakeholder participation', in paragraph 5.20 'Participation and Production Stage', is sufficient to make proper provision for participation by landowner and development interests, where this is relevant to the subject matter of a particular SPD.

Change Proposed

Support the following change:

Page 19, Paragraph 5.18, 'Pre-Production Stage', at end of second bullet-point, add : '...and including landowners, developers and their agents, as appropriate'.

City Council's Response to Representation

This comment is noted. It is not, however, considered appropriate for the SCI to make specific reference to the Council's internal or inter-departmental working.

Change Proposed

No change.

City Council's Response to Representation

The importance of locally derived information, as part of an 'evidence base', is recognised. However, the evidence base is only mentioned in paragraph 5.18 as a means of feeding community views into the DPD process. Whilst there will be many other studies that make up the evidence base, it is not considered necessary to list these in the SCI.

could form an important element in any evidence base to be used in the preparation of a Core Strategy, Development Control Policies DPD or Affordable Housing SPD.

Change Sought

Amend the SCI to make reference to the role of existing and proposed Council studies and other relevant documents, in preparing an evidence base for the different components of the LDF.

Change Proposed

No change.

Paragraph Number(S): Section 5.

Test of Soundness 0 **Representation number:** 2020

J.D Selby

The respondent expresses disappointment that the Submission SCI's strategy for encouraging and promoting far more community involvement and early consultation by planning applicants does not yet appear to be influencing, in any meaningful way, pre-application activity at the local level. The respondent also makes the general point that the SCI is too complex and 'aspirational' and is, therefore, likely to be of less interest or relevance to the wider community as a result. Finally, the respondent expresses the view that the SCI could be improved by incorporating a clear commitment to a timetabled review of its overall application and effectiveness.

City Council's Response to Representation

The respondent's criticisms are noted. However, the SCI is not yet adopted and it is not, therefore, surprising that it is not yet having a noticeable effect. This is not, however, a reason for undertaking a review of the SCI, or for planning a review at such an early stage. Should significantly changed circumstances warrant such action in the future, then it is likely that the Council would wish to undertake such a review, in order to restore the currency and validity of its SCI.

Notwithstanding that cautionary approach with regard to the SCI, the Council's Annual Monitoring Report, which is published in December each year, is specifically intended to monitor the effectiveness of planning policies and to determine whether or not targets contained in the Local Development Documents are being met. A further purpose of the Annual Monitoring Report is to determine whether or not an early review of any such Local Development Documents is required, because their effectiveness has been limited or they have become out-of-date sooner than was expected.

Change Sought

An unspecified change to Section 6, to include a more precise reference to a timetable for periodic review of the SCI.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2021

**Selina Test Valley Borough
Crocomb Council**

Test Valley Borough Council has no comment to make on the Submission SCI.

City Council's Response to Representation

The representation is noted.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2022

**John South East England
Pounder Regional Assembly**

City Council's Response to Representation

The South East Regional Assembly has no comments to make.

The representation is noted.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2023

**Alan Sainsbury's
Jones Supermarkets Ltd**

City Council's Response to Representation

Sainsbury's Supermarkets Ltd does not have any detailed comments to make at this point.

The representation is noted.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2024

**Cheryl Fair oak and Horton
Gosling Heath Parish Council**

City Council's Response to Representation

Fair Oak and Horton Heath Parish Council finds the Submission SCI to be sound.

The support is welcomed.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2025

**Charlotte Environment Agency
Stride**

City Council's Response to Representation

The Environment Agency finds the SCI to be generally sound

The support is welcomed.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2026

**A R Portsmouth Water Ltd
Neve**

City Council's Response to Representation

Portsmouth Water Ltd has no particular comment to make at this, the SCI stage, of the Local Development Framework process.

The representation is noted and the additional comments/request, made in regard to the forthcoming Core Strategy, will be actioned.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2027

**Dominic Fareham Borough
Lyster Council**

City Council's Response to Representation

Fareham Borough Council does not wish to submit any comments.

The representation is noted.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2028

**K R Hampshire & Isle of
Clarke Wight Area Team,
GOSE**

City Council's Response to Representation

The Government Office For The South East welcomes the Council's efforts to create a young person's network and also encourages: the development of further links with Parish Councils, in order to reach rural communities and; increasing contact with the voluntary and community sector, through the 'One Compact for Hampshire', in order to strengthen connections with those organisations which specifically deal with 'hard to reach' members of the community. The Government Office also welcomes the use of an explanatory leaflet to accompany the publication of the Submission version of the SCI and encourages the use of a similar leaflet to accompany the publication of a final version.

In order to maintain the currency and, therefore, the usefulness of the information in Appendix 3 to the SCI, the Council has elected not to name specific voluntary organisations, of which a considerable number operate within the Winchester District. However, the important role played by Community Action Hampshire, with its particular emphasis on community interests, suggests that this organisation should be named and added to the list of 'Other Consultation Bodies', in Appendix 3 (page 58).

Change Sought

The inclusion of 'Community Action Hampshire' in the SCI's list of Consultation Bodies (Local Development Framework Consultees: Appendix 3).

Change Proposed

Page 58, Appendix 3, Local Development Framework Consultees, 'Other Consultation Bodies', add: 'Community Action Hampshire'.

Paragraph Number(S): 5.34

Test of Soundness 0 **Representation number:** 2029

**George Natural England
Gittis**

Natural England welcomes the opportunity, emphasised through the SCI, for local nature conservation organisations and other environmental stakeholders to engage effectively in the preparation of elements of the Local Development Framework.

City Council's Response to Representation

Given that The National Trust has significant property, land-owning and farming interests within the District and has close links to many aspects of rural communities within the District it is considered appropriate that this particular organisation should be included in the list of Other Consultation Bodies.

The Council also recognises the need to update the SCI's list of Statutory Consultation Bodies, by reference to Natural England, as the successor body to English Nature.

Change Sought

The addition of The National Trust to the SCI's list of 'Other Consultation Bodies'

Change Proposed

Appendix 3, page 58, after 'National Playing Fields Association', add 'The National Trust'.
Appendix 3, page 57...delete 'English Nature' and replace with 'Natural England'.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2030

**G.M
Wandling**

The respondent supports sustainable development, by means which include the careful location of new development and other measures to reduce reliance on travel by car.

City Council's Response to Representation

This response is noted.

Change Sought

None specified.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 **Representation number:** 2031

**Alison Itchen Valley Parish
Mathews Council**

The Itchen Valley Parish Council considers the Submission SCI to be 'sound'.

City Council's Response to Representation

As set out in the section on Parish Plans, on page 11 of the Submission document, the SCI seeks in part to illustrate the evolution of Parish Plans within the District, by reference to 'some early examples of completed plans'. A Parish Plan for Itchen Abbas was inadvertently chosen as one of these examples when, in fact, Itchen Abbas has a Village Design Statement and not a Villlage Plan

The following paragraph on page 11 is intended to give an equally compact summary of the processes involved in developing Village Design Statements. Given that comparatively large numbers of such Statements have now been adopted within the District it is not considered

necessary, or particularly helpful, to highlight examples from among those villages which now have a VDS in place.

The Council again notes the Parish's comment regarding neighbour notification, where this concerns agricultural land. A full response was given following the Consultation Draft stage and, accordingly, the Council did not consider it necessary to amend its normal notification procedures. However, it should be re-emphasised that where a residential property is situated on 'neighbouring' agricultural land, but happens to be within reasonable proximity to the planning application site, the case officer's initial assessment may well indicate that a notification would be appropriate.

Change Sought

Notwithstanding the general support for the SCI, the respondent draws attention to what the Parish Council considers to be a factual error on page 11, where reference is made to a completed Parish Plan for Itchen Abbas. The representation goes on to suggest that recognition should, instead, be given to the fact that Itchen Abbas has a completed and adopted Village Design Statement.

This representation also points out that, in terms of planning applications and neighbour notification, where the 'neighbouring property' consists of agricultural land, a notification is not issued to the owner or occupier.

Paragraph Number(S): Section 5

Test of Soundness 0 **Representation number:** 2032

**James Grainger Trust
Matcham**

The Grainger Trust plc welcomes the inclusion of planning consultants within Group C, as contained in Diagram 5.

Change Proposed

Support the following change:

Page 11, Parish Plan, fourth sentence, delete: 'Itchen Abbas',

City Council's Response to Representation

The support is welcomed. Clear reference is made in the SCI to the importance the Council attaches to the role of the landowner and developer in helping to initiate early community involvement and, in particular, with regard to larger-scale and more sensitive development proposals. Given that planning consultants often play a key part in advising, guiding and representing the landowner or prospective developer, it is considered to be implicit in the SCI that their contribution to the LDF process is Valued.

Change Sought

No specific change.

Change Proposed

No change.

Paragraph Number(S): 5.26, 5.28

Test of Soundness 0 Representation number: 2033

**James Grainger Trust
Matcham**

City Council's Response to Representation

The Grainger Trust plc supports the Council's pro-active approach towards early consultation and community involvement for larger schemes and, in particular, welcomes the SCI's recognition of the positive consultation process for the West of Waterlooville MDA, which has involved the local community and other stakeholders from the outset.

The support is welcomed.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 0 Representation number: 2034

**Mobile Operators
Association**

City Council's Response to Representation

The Mobile Operators Association welcomes the inclusion of the Telecommunications Companies in the SCI's list of Statutory Consultees, as confirmation of the Council's intention to consult these bodies on forthcoming Local Development Documents.

The response is noted.

Change Sought

None.

Change Proposed

No change.

Paragraph Number(S): all

Test of Soundness 3 Representation number: 2035

**John
Hayter**

City Council's Response to Representation

The respondent submits that the SCI is sound, when considered in the light of Test of Soundness 3.

The support is welcomed.

Change Sought

None.

Change Proposed

No change.